

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HOWARD BERRY and DAVID BERRY,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

TRANSDEV SERVICES, INC., f/k/a
VEOLIA TRANSPORTATION SERVICES
INC., and TRANSDEV NORTH AMERICA,
INC., f/k/a VEOLIA SERVICES, INC.,

Defendants.

No. 2:15-cv-01299-RAJ

**[PROPOSED] ORDER DENYING
FIRST TRANSIT'S MOTION TO
DISMISS TRANSDEV'S
CROSSCLAIM FOR FAILURE TO
STATE A CLAIM**

ORDER

This matter came before the Court on defendant First Transit, Inc.'s ("First Transit") Motion to Dismiss Transdev Services, Inc.'s ("Transdev") Cross-Claim for Failure to State a Claim (the "Motion"). After reviewing First Transit's Motion and supporting papers, Transdev's response to the Motion and supporting papers, and First Transit's reply in support of the Motion and any supporting papers, as well as the pleadings on file in this case, it is hereby ORDERED that defendant First Transit's Motion is DENIED.

Dated this _____ day of _____, 2016.

Honorable Richard A. Jones
United States District Court Judge

Presented by:

DLA PIPER LLP (US)

s/ Stellman Keehnel

Stellman Keehnel, WSBA No. 9309

s/ Anthony Todaro

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Attorneys for Defendants
Transdev Services, Inc. and
Transdev North America, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on November 14, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorneys of record for the parties.

Dated this 14th day of November, 2016.

s/Stellman Keehnel
Stellman Keehnel

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